

Senate Engrossed House Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

**CHAPTER 131**

# **HOUSE BILL 2232**

AN ACT

AMENDING SECTION 41-794, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT  
OF ADMINISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-794, Arizona Revised Statutes, is amended to  
3 read:

4 41-794. Employment of police personnel; capitol police reserve

5 A. The department shall employ police officers and other personnel as  
6 the director deems necessary for the protection and security of the state  
7 buildings and grounds in the governmental mall as described by section  
8 41-1362 and state office buildings in Tucson and persons who are on those  
9 properties.

10 B. THE DIRECTOR MAY PROVIDE FOR A VOLUNTEER ORGANIZATION TO BE KNOWN  
11 AS THE CAPITOL POLICE RESERVE. THIS ORGANIZATION SHALL CONSIST OF UNITED  
12 STATES CITIZENS WHO ARE RESIDENTS OF THIS STATE AND WHO RENDER AUXILIARY  
13 SUPPORT, WITHOUT COMPENSATION, TO THE DEPARTMENT AS THE DIRECTOR  
14 PRESCRIBES. THIS ORGANIZATION MAY CONSIST OF VOLUNTEERS WHO ARE PEACE  
15 OFFICERS AND VOLUNTEERS WHO ARE NOT PEACE OFFICERS. THE VOLUNTEERS WHO ARE  
16 NOT PEACE OFFICERS SHALL BE UNITED STATES CITIZENS, UNITED STATES NATURALIZED  
17 CITIZENS OR PERSONS LAWFULLY ADMITTED TO THE UNITED STATES FOR PERMANENT  
18 RESIDENCE AS DEFINED UNDER FEDERAL LAW.

19 C. THE DIRECTOR SHALL DEFINE THE POWERS AND DUTIES OF THE RESERVE, BUT  
20 THESE POWERS AND DUTIES SHALL NOT BE IN EXCESS OF THOSE ACCORDED TO  
21 DEPARTMENT EMPLOYEES OR INCONSISTENT WITH THOSE POWERS AND DUTIES.

22 D. THE DIRECTOR SHALL ISSUE TO EACH MEMBER OF THE RESERVE A BADGE OF  
23 AUTHORITY TO BE USED BY THE MEMBERS OF THE RESERVE FOR ACTIVITIES AUTHORIZED  
24 BY THE DIRECTOR. THE BADGE SHALL BE OF SUCH DESIGN AS THE DIRECTOR  
25 DETERMINES, BUT SHALL BEAR THE WORD "RESERVE" ACROSS THE FACE OF THE BADGE  
26 AND SHALL DISTINGUISH BETWEEN VOLUNTEERS WHO ARE CERTIFIED PEACE OFFICERS AND  
27 VOLUNTEERS WHO ARE NOT CERTIFIED PEACE OFFICERS.

28 E. A MEMBER OF THE RESERVE PERFORMING ACTIVITIES AUTHORIZED BY THE  
29 DIRECTOR FOR AN EMPLOYER IS NOT A STATE EMPLOYEE FOR ANY PURPOSE, INCLUDING  
30 WORKERS' COMPENSATION BENEFITS UNDER SUBSECTION F. AN ENTITY EMPLOYING A  
31 RESERVE OFFICER TO PERFORM ACTIVITIES AUTHORIZED BY THE DIRECTOR SHALL FILE A  
32 STATEMENT WITH THE DEPARTMENT THAT THE EMPLOYEE IS THE AGENT OF THE EMPLOYER  
33 AND NOT AN EMPLOYEE OF THIS STATE.

34 F. WHILE ON DUTY, MEMBERS OF THE RESERVE ARE DEEMED STATE EMPLOYEES  
35 FOR THE PURPOSE OF SECURING WORKERS' COMPENSATION BENEFITS IN THE SAME  
36 MANNER, UNDER THE SAME CONDITIONS AND TO THE SAME EXTENT AS REGULAR STATE  
37 EMPLOYEES.

**APPROVED BY THE GOVERNOR APRIL 17, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2006.**